

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA

v.

2:06CR163

LORETTA CLEMENTS STALLINGS

Defendant.

**REPORT AND RECOMMENDATION
CONCERNING GUILTY PLEA**

Defendant, by consent, has appeared before the undersigned pursuant to Rule 11, Federal Rules of Criminal Procedure, and referral from a United States District Judge and has entered guilty pleas to making a false statement in bankruptcy and identity theft, in violation of 18 U.S.C. §§ 152(3) and 1028(a)(7).

Defendant was represented by appointed counsel, Gretchen L. Taylor, Esquire. On January 4, 2007, defendant appeared before the Court for the purpose of entering her guilty pleas. She was appropriate in appearance, responsive, and competently prepared for the hearing.

Defendant answered all questions put to her in clear and concise language. On those occasions when she had a question, defendant consulted with counsel and then promptly answered. Defendant was courteous and appropriate in her behavior at all times and clearly understood the seriousness of her position. At the close of the proceeding, defendant was continued on bond, subject to the same conditions of release as originally imposed.

Defendant is forty-one years of age, is a high school graduate, and speaks English as her native language. There was no

evidence that defendant was on drugs, alcohol, or medication which might impair her judgment. She was cooperative throughout the proceeding.

Defendant entered the guilty pleas without the benefit of a plea agreement. The Court is completely satisfied, based upon defendant's responses, that she fully appreciates her position. Furthermore, she acknowledged that the statement of facts prepared in anticipation of her pleas accurately reflects the government's evidence, in the event of trial.

After cautioning and examining defendant under oath concerning each of the subjects mentioned in Rule 11, the Court determined that the offenses charged are supported by independent facts, establishing each of the essential elements of such offense. Therefore, the Court recommends that the guilty pleas be accepted and that defendant be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this report and recommendation within ten days from the date of its service shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b) (1) (B).

Norfolk, Virginia

January 5, 2006

/s/
James E. Bradberry
United States Magistrate Judge

Clerk's Mailing Certificate

A copy of the foregoing Report was mailed this date to each of
the following:

Gretchen L. Taylor, Esquire
Federal Public Defender's Office
Town Point Center, Ste. 403
150 Boush Street
Norfolk, VA 23510

Stephen W. Haynie, Esquire
Assistant United States Attorney
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, VA 23510

Fernando Galindo, Acting Clerk

By _____
Deputy Clerk

_____, 2007